



February 11, 2005

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## HOUSE BILL No. 1575

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DIGEST OF HB 1575 (Updated February 8, 2005 12:15 pm - DI 103)

**Citations Affected:** IC 22-14; IC 34-30; IC 35-47.

**Synopsis:** Retired law enforcement officers' identification. Requires state and local law enforcement agencies to issue annually to their retired law enforcement officers a photographic identification. Allows a retiring member of the arson division of the office of the state fire marshal to retain the member's service weapon and requires the office to issue the retiring member a badge and an identification card. Requires a retired law enforcement officer who carries a concealed firearm under federal law to obtain annually, at the officer's expense, an endorsement or certification that the officer meets the training and qualification standards to carry that type of firearm. Provides that an entity that provides the endorsement or certification is immune from civil or criminal liability for providing the endorsement or certification.

**Effective:** Upon passage; July 1, 2005.

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**Walorski, Ruppel, Harris T,  
Lawson L**

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January 18, 2005, read first time and referred to Committee on Public Safety and Homeland Security.  
February 10, 2005, amended, reported — Do Pass.

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HB 1575—LS 7374/DI 102+



February 11, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1575

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-14-2-12 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2005]: **Sec. 12. Whenever a member of the arson division of the**  
4 **office retires after at least twenty (20) years of service, the office**  
5 **shall, in recognition of the member's service to the office, do the**  
6 **following:**

7 (1) **Allow the member to retain the service weapon issued to**  
8 **the member by the office.**

9 (2) **Issue the member a badge that indicates the member is a**  
10 **retired member of the arson division of the office.**

11 (3) **Issue the member an identification card that contains the**  
12 **following information:**

13 (A) **The name of the office and the arson division.**

14 (B) **The name of the member.**

15 (C) **The member's position title before the member's**  
16 **retirement.**

17 (D) **A statement that the member is retired.**

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(E) A statement that the member is authorized to retain the service weapon issued to the member by the office.

SECTION 2. IC 34-30-2-152.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 152.2. IC 35-47-13-6 (Concerning the state or a law enforcement agency for issuing evidence that a retired law enforcement officer meets the training and qualification standards to carry certain firearms).**

SECTION 3. IC 35-47-13 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 13. Retired Law Enforcement Officers Identification for Carrying Firearms**

**Sec. 1. As used in this chapter, "firearm" has the meaning set forth in 18 U.S.C. 926C(e).**

**Sec. 2. As used in this chapter, "law enforcement agency" means an agency or a department of:**

(1) the state; or

(2) a political subdivision of the state;

whose principal function is the apprehension of criminal offenders.

**Sec. 3. As used in this chapter, "law enforcement officer" has the meaning set forth in IC 35-41-1-17(a). The term includes an arson investigator employed by the office of the state fire marshal.**

**Sec. 4. After June 30, 2005, all law enforcement agencies shall issue annually to each person who has retired from that agency as a law enforcement officer a photographic identification.**

**Sec. 5. (a) In addition to the photographic identification issued under section 4 of this chapter, after June 30, 2005, a retired law enforcement officer who carries a concealed firearm under 18 U.S.C. 926C must obtain annually, for each type of firearm that the retired officer intends to carry as a concealed firearm, evidence that the retired officer meets the training and qualification standards to carry that type of firearm established:**

(1) by the retired officer's law enforcement agency, for active officers of the agency; or

(2) by the state, for active law enforcement officers in the state.

A retired law enforcement officer bears any expense associated with obtaining the evidence required under this subsection.

**(b) The evidence required under subsection (a) is one of the following:**

(1) For compliance with the standards described in subsection

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1 (a)(1), an endorsement issued by the retired officer's law  
2 enforcement agency with or as part of the photographic  
3 identification issued under section 4 of this chapter.

4 (2) For compliance with the standards described in subsection  
5 (a)(2), a certification issued by the state.

6 Sec. 6. An entity that provides evidence required under section  
7 5 of this chapter is immune from civil or criminal liability for  
8 providing the evidence.

9 SECTION 4. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Safety and Homeland Security, to which was referred House Bill 1575, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 22-14-2-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12. Whenever a member of the arson division of the office retires after at least twenty (20) years of service, the office shall, in recognition of the member's service to the office, do the following:**

- (1) Allow the member to retain the service weapon issued to the member by the office.**
- (2) Issue the member a badge that indicates the member is a retired member of the arson division of the office.**
- (3) Issue the member an identification card that contains the following information:**
  - (A) The name of the office and the arson division.**
  - (B) The name of the member.**
  - (C) The member's position title before the member's retirement.**
  - (D) A statement that the member is retired.**
  - (E) A statement that the member is authorized to retain the service weapon issued to the member by the office.**

SECTION 2. IC 34-30-2-152.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 152.2. IC 35-47-13-6 (Concerning the state or a law enforcement agency for issuing evidence that a retired law enforcement officer meets the training and qualification standards to carry certain firearms)."**

Page 2, between lines 12 and 13, begin a new line blocked left and insert:

**"A retired law enforcement officer bears any expense associated with obtaining the evidence required under this subsection."**

Page 2, between lines 20 and 21, begin a new paragraph and insert:

**"Sec. 6. An entity that provides evidence required under section 5 of this chapter is immune from civil or criminal liability for providing the evidence."**

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Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to HB 1575 as introduced.)

RUPPEL, Chair

Committee Vote: yeas 8, nays 0.

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